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Kansas State Board For Examination  
And Registration of Nurses

Laws. Rev. ed. 1947

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LAW RELATING  
TO THE  
Registration  
of  
Nurses

SECOND EDITION  
1907

By  
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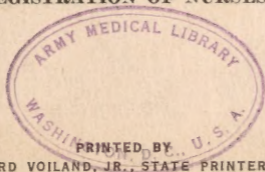
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**LAWS RELATING**  
**TO THE**  
**Registration**  
**of**  
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**REVISED EDITION**  
**1947**

**KANSAS STATE BOARD**  
**FOR EXAMINATION AND**  
**REGISTRATION OF NURSES**



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THE KANSAS STATE BOARD FOR EXAMINATION AND REGISTRATION  
OF NURSES

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MRS. DOROTHY HARTLEY JACKSON, R. N., Examiner  
and Educational Director for Kansas Schools of  
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817 State St., Emporia, Kan.

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# NURSES' REGISTRATION LAW

(Revised Statutes of 1923)

AN ACT to provide for the examination, registration, and regulation of trained nurses, and prescribing penalties for the violation thereof.

74-1101. *Board for examination of trained nurses.* That upon taking effect of this act, the governor shall appoint a board of examiners, four of whom shall be graduated nurses appointed from a list of twenty nominated by the Kansas State Association of Nurses together with the secretary of the State Board of Medical Registration and Examination, constitute a board for the examination of trained nurses. Such appointees shall be chosen from the actual residents of this state, and, except the registered physician, from nurses who are actively engaged in nursing, and who have graduated from reputable training schools giving a two years' course of training, who have served in hospitals of good standing having a charter and who have had five years' experience in nursing. The four persons so appointed shall be appointed in two classes, as follows: Two shall be appointed to hold office for two years and two shall be appointed to hold office for four years, beginning with the first day of July, 1913, and until their successors are appointed and qualified, and thereafter the governor shall appoint on or before the first day of July in every odd-numbered year persons qualified as aforesaid, in each class, to hold office for four years from the first day of July, next ensuing. Each member of said board shall take and subscribe the oath prescribed by law for state officers, which oath shall be filed with the secretary of state. In the event the appointment of the successor is not made on the expiration of the term of any member, such member of said

board shall hold office until such successor is duly appointed and qualified. The governor shall fill vacancies occasioned by death or otherwise, and may remove any member for the continued neglect of duties required by this act. Vacancies in said board shall be filled in accordance with the provisions of this act for the establishment of the original board, and persons appointed to fill vacancies shall be selected from registered nurses and shall hold office during the unexpired portion of the term for which their predecessors were appointed. [L. 1913, ch. 231, § 1; Feb. 12.]

74-1102. *Officers; meetings.* The members of said board shall meet at Topeka during the first week of July, 1921, and every second year thereafter, and shall elect a president, vice-president and a secretary-treasurer from their own number, each of whom shall hold his or her respective office for two years. Said board shall hold regular meetings in May and December of each year upon such dates and at such places as may be fixed by the board, and such other meetings as may, in the judgment of the board, be necessary. Examination of applicants for registration of nurses shall be held at such meetings, held in May and December, if there shall be applicants for such registration, and at other meetings if the board shall so order. Notice of all meetings for examination of nurses shall be published at least thirty days prior to the time of each meeting, in the official state paper. The board shall adopt rules and regulations, not inconsistent with this act, to govern its proceedings and to carry out this act, and such rules and regulations shall be published, upon promulgation, once in the official state paper, and shall also be published in separate form, and copies thereof shall be furnished upon application to persons needing to refer to same. Said board shall have a seal, of which the secretary shall be the custodian. The secretary shall have the power and authority to administer oaths in transacting

business of the board, and he or she shall keep a record of all proceedings of the board, and a register of nurses who shall pass the examination of the board and showing the certificates of registration granted, or revoked, and such register shall be open at all reasonable times to public scrutiny. Three members shall constitute a quorum for the transaction of business. The secretary-treasurer shall give to the state treasurer a bond for the faithful discharge of his or her duties in the penal sum of one thousand dollars (\$1,000), with one or more sufficient sureties, to be approved by the governor. [L. 1913, ch. 231, § 2; L. 1915, ch. 259, § 1; L. 1921, ch. 267, § 1; May 25.]

74-1103. *Compensation and expenses.* The members of said board shall each receive a compensation of seven dollars per day, for each day actually and necessarily engaged in the performance of the duties of their office, and also the necessary expenses incurred by them in the performance of such duties. The secretary shall receive additional compensation at the rate of four hundred dollars per annum, payable quarterly. [L. 1945, ch. 304, § 1.]

74-1104. *Moneys.* The secretary-treasurer of the state board of examiners of nurses shall on or before the tenth day of each month remit to the state treasurer all fees collected by said board during the preceding month, and at the same time shall render to the auditor of state an itemized and verified report showing the source from which said fees were obtained. The state treasurer and auditor of state shall credit ten percent of all fees collected by said board and remitted as provided hereinbefore to the general revenue fund of the state. The remaining ninety percent of the fees remitted by the above board shall be by the state treasurer and auditor of state placed in the special fee fund of the above board; the compensation of members and other actual and necessary expenses of the board to be paid therefrom: *Provided,*

however, That no such moneys shall be paid out of the funds of the state treasury upon the warrants issued by the state auditor to members of said board, until the qualifications of members of said board are approved by the governor. [Revised, 1923; old section, L. 1913, ch. 231, § 5; L. 1921, ch. 267, § 4.]

74-1105. *Disposition of fee fund.* The auditor of state is hereby authorized to draw his warrants on the treasurer of state against said board of graduate nurses' examination and registration fee fund upon duly itemized and verified vouchers approved by the president and secretary-treasurer of said board for the purposes specified and provided by law, but in no event shall the total expenses of the said board exceed the total fees collected and deposited to the credit of said fund. [L. 1923, ch. 28, § 3; June 9.]

65-1101. *Registration of nurses.* All persons to whom certificates of registration as nurses, under the law of this state, shall have been issued prior to the time this act shall take effect, shall be styled and known as registered nurses, and shall come within the provisions of this act and shall comply with the same, but shall not be required to undergo any new examination or obtain a new certificate of registration as a nurse. All other persons who shall desire to engage in the practice of professional nursing, shall legally qualify by securing a certificate of registration from the board of registration of nurses. Such applicants shall give satisfactory proof of being twenty-one years of age, of good moral character, and shall present a diploma from an accredited training school of nurses and pass the examination given by said board: *Provided*, The right of the applicant for examination or registration shall not be made to depend upon the size, location, number of beds or number of patients of the hospital in which said applicant has studied and worked. Any person who shall be otherwise qualified under the provi-

sions of this act, and who shall have received a certificate of registration as a nurse under the laws of any other state with which Kansas has conditional reciprocity upon the subject of admission to practice of nursing, which certificate shall contain a notation of recommendation to the board of registration of nurses of this state, from the corresponding board of such other state, shall be granted a certificate of registration without examination, upon making a written application therefor, and presenting such certificate of registration from such other state, and paying the ten dollars (\$10) registration fee. Said certificate of registration from said other state shall be signed by the secretary or corresponding officer of the board issuing the same and stamped with the seal of said board. [L. 1913, ch. 231, § 3; L. 1921, ch. 267, § 2; May 25.]

65-1102. *Fees and certificates.* That every applicant for registration as a nurse hereunder shall pay a fee as shall be fixed by the board of not more than fifteen dollars to the treasurer of this board upon filing application for original registration. Whenever said board shall approve and allow any application for registration it shall issue its certificate of registration to the successful applicant, and such registration shall expire on the 31st day of December next following the date of registration, and every registration heretofore granted by said board shall expire on the 31st day of December next following the taking effect of this act. Upon receiving a certificate of registration the person to whom it is issued shall cause a copy thereof to be filed with the county clerk of the county in which such person resides, accompanied by an affidavit of his or her identity as the person to whom the same was issued and stating in such affidavit his or her place of residence at the time of examination. The county clerk shall charge fifty cents (50¢) for registering such copy of certificate, together with such affidavit. The

nurse to whom such certificate of registration shall be issued shall show the same, upon request, at any time to said board or its secretary. Every person now or hereafter registered as a nurse who shall desire to engage in the practice of nursing following the expiration of his or her original or renewal registration in this state shall on or before the first day of May of each year make written application for renewal of such registration to the secretary of said board upon a form to be furnished by said secretary upon request. Said form shall contain such pertinent information as may be required by said board, and every person who shall desire to engage actively in the practice of nursing shall accompany said application with renewal fee of one dollar (\$1). Said board, upon receiving such application and renewal fee and finding the applicant to be entitled to renewal registration, shall grant renewal registration to such applicant and issue to such applicant its certificate of annual renewal registration, which renewal registration shall expire on the 31st day of December next succeeding. Any person heretofore or hereafter registered as a nurse in this state as provided by law who shall fail to secure a renewal registration within the time specified herein may secure a renewal of his or her lapsed registration by making verified application therefor on a form to be provided by said board, and upon furnishing such additional material facts and information as may be required by the board and paying to said board a renewal fee of five dollars: *Provided*, That the board, before renewing such lapsed registration, shall find from such application, and such evidence as it shall obtain, that the applicant has not practiced nursing in this state since the expiration of his or her former registration, and is at the time of making such application competent and qualified to act as a nurse. [L. 1945, ch. 250, § 1.]

65-1104. *Training school for nurses.* An accredited training school for nurses within the meaning

of this act is defined to be one connected with a hospital requiring the persons receiving such training to have at least four years of high school education or its equivalent and giving a continuous theoretical and practical course of training in bedside nursing of not less than two years and six months and having one registered nurse employed at the hospital: *Provided*, That if such registered nurse shall leave without fifteen days' notice the hospital management shall be allowed a reasonable time to fill the vacancy. Such training shall include at least four hundred and fifty hours of theoretical instruction. Practical bedside nursing shall include the care of medical and surgical patients, male and female, obstetrical patients and children. The applicant shall receive a substantial course of training in each of said branches of bedside nursing. Where an applicant has had a course of training in such a hospital which gives training to nurses in one or more less than all of said branches of theoretical or bedside nursing, but otherwise complies with the terms of this act, the applicant shall receive the remainder of the training herein prescribed at some hospital fully complying with the terms of this act. Any hospital which shall give training which shall receive credit under this act shall maintain accurate and current records showing in full the theoretical and practical courses given to each student in such hospital. All such hospitals shall maintain healthful and comfortable living conditions for the students thereat. Any hospital desiring to have its school of nursing inspected and accredited by said board shall file an application with said board therefor, and shall pay to the treasurer of said board a fee of fifteen dollars upon filing such application and the same sum annually as long as said hospital shall desire to have its school of nursing accredited by said board. [L. 1945, ch. 251, § 1.]

65-1105. *Title of nurses.* Any person who shall have complied with the provisions of this act and received a certificate of registration, shall be styled

and known as a registered nurse, and be entitled to append the letters "R. N." to his or her name. It shall be unlawful for any person who has not complied with the provisions of this act to hold himself or herself out to the public as a registered nurse, or to append the letters "R. N." to his or her name. [L. 1913, ch. 231, § 7; Feb. 12.]

65-1106. *Violations of this act.* Any persons violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty nor more than two hundred dollars, and it shall be the duty of the respective prosecutors of the counties of this state to prosecute violations of the provisions of this act. [L. 1913, ch. 231, § 8; Feb. 12.]

65-1107. *False swearing.* Any person who shall swear falsely in any affidavit or oral testimony made or given by virtue of the provisions of this act for the regulations of said board of registration shall be deemed guilty of perjury. [L. 1913, ch. 231, § 9; Feb. 12.]

65-1108. *Title of nurse as evidence.* When any person shall append the letters "R. N." or shall use any other letter, figures, or sign to indicate that he or she is a registered nurse, it shall be prima facie evidence of practicing professional nursing as a registered nurse or trained nurse within the meaning of this act. [L. 1913, ch. 213, § 10; Feb. 12.]

65-1109. *Unregistered nurses.* This act shall not apply to the gratuitous nursing of the sick by friends or by members of the family, nor to any person nursing the sick for hire who shall not in any way assume to be a registered nurse, or trained nurse; nor shall it be construed to interfere in any manner with religious communities having charge of hospitals or caring for the sick in their own homes. [L. 1913, ch. 231, § 11; Feb. 12.]

65-1110. *Revocation of registration.* Said board shall have the power to revoke any certificate issued by said board in accordance with the provisions of this act and for the following causes: Gross incompetency, violations of the provisions of this act or anything derogatory to the morals or the standing of the profession of nursing as may be determined by the board: *Provided*, That such revocation shall be made only upon the specific charges in writing under oath, filed with the secretary, and by a majority vote of the whole board, a certified copy of such charges and thirty days' notice of the hearing of the same having been personally served upon the holder of such certificate. Said board shall be authorized to furnish a list of the names and addresses of those whose certificates have been revoked to the board of examiners of other states upon written request of such board. [L. 1913, ch. 231, § 12; Feb. 12.]

65-111. *Temporary registration of nurses.* While the United States is engaged in the present war with any foreign nation and for a period of six months after the cessation of hostilities the state board for examination and registration of nurses shall have power to issue temporary certificates to such nurses, now licensed as such or who at one time have been licensed as such outside the state, as they shall find qualified to practice as such in the state during the present war emergency period; and in furtherance of the provisions herein contained, the state board for examination and registration of nurses shall have power to issue such temporary emergency certificates by and under general regulations or specific orders. The holder of any such temporary certificate shall be privileged, during the term specified therein, unless sooner revoked, to practice the profession of nursing within the state; subject, however, to all laws of the state generally applicable to the practice of such profession; and further subject to such rules and regulations, restrictions and limita-

tions as the state board for examination and registration of nurses may make or impose as to them or any of them and their practice within the state. [L. 1943, ch. 224, § 1; L. 1945, ch. 252, § 1; June 28.]

65-2201. *Definitions.* As used in this act, the following terms shall have the meanings ascribed to them by this section, unless the context clearly requires otherwise: (1) "Military service" means service by a licensee in the army, navy or marine corps of the United States and shall also include the six-months period of time immediately following his discharge therefrom. (2) "License" means any permit, certificate, authority, privilege or registration issued, granted or made by the state of Kansas or any officer, board, department or commission thereof authorizing a person to engage in or practice an occupation or profession in this state. (3) "Licensee" means any person who had, at the time of his entering the military service, a valid, existing license to engage in or practice an occupation or profession in this state. [L. 1943, ch. 227, § 1; March 12.]

65-2202. *Certain laws inapplicable.* The provisions of any law relating to the licensing of persons engaged in or practicing an occupation or profession which require the payment of an annual license fee shall be construed to be inapplicable to a licensee in the military service and no licensee shall be required to pay an annual license fee accruing while such licensee is in the military service except as provided in section 3 (65-2203) hereof. No license of any licensee shall be revoked or suspended because of the nonpayment, during the period of his military service, of an annual fee. [L. 1943, ch. 227, § 2; March 12.]

65-2203. *Fee to be paid within six months after discharge.* A licensee, who desires to engage in or practice his occupation or profession in this state after his discharge from the military service, shall, within six months after such discharge, pay the

annual fee required by law for such year and thereupon, he shall be deemed to have complied with all requirements of law relating to the payment of annual fees. [L. 1943, ch. 227, § 3; March 12.]

65-2204. *Application of act; certain suspensions and revocations set aside.* The provisions of this act shall apply to all licensees who enter the military service on or after December 23, 1940, and shall not apply to licensees who during the period of such service are engaged in or practicing an occupation or profession in this state, either personally, or indirectly by agent. If the license of any such licensee has been suspended or revoked prior to the effective date of this act solely because of the failure of such licensee to pay annual fees accruing during such service, such suspension or revocation is hereby set aside and canceled. [L. 1943, ch. 227, § 4; March 12.]

65-2205. *Act is supplemental.* This act shall be construed as supplemental to and not as repealing any existing law. [L. 1943, ch. 227, § 5; March 12.]

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